

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ANTHONY MENDES
AND DORIS MENDES,

Plaintiffs,

v.

CENDANT MORTGAGE,

Defendant.

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C. A. No.: 05-11765-DPW

ASSENTED TO MOTION TO EXTEND BY ONE WEEK THE
DATE TO RESPOND TO DEFENDANT'S MOTIONS TO STRIKE
THE AFFIDAVIT OF DORIS MENDES AND TO PRECLUDE PLAINTIFFS' EXPERTS
FROM TESTIFYING

Plaintiffs, Anthony and Doris Mendes, hereby move to continue to December 22, 2006, the date by which they must respond to Defendant, Cendant Mortgage's, Motions to Strike the Affidavit of Doris Mendes and to Preclude Plaintiffs' Experts From Testifying. As grounds therefore, plaintiffs state:

1. Defendant filed its motions on Friday, December 1, 2006.
2. Plaintiffs' counsel was on trial during the week of December 4, 2006.
3. Plaintiffs' counsel also has been out of his office on Monday, December 11, (covering a deposition) and on Tuesday, December 12, (covering two hearings).
4. Accordingly, Plaintiffs' counsel has not possessed the time necessary to prepare an opposition to Defendant's Motions to Strike the Affidavit of Doris Mendes and to Preclude Plaintiffs' Experts from Testifying.
5. A one week extension will provide him with the time necessary to prepare a response.

6. Such an extension should not create any prejudice because the motions will not be heard until February 7, 2007.

7. Defendant has assented to this motion.

WHEREFORE, Plaintiffs, Anthony and Doris Mendes, request that their Assented to Motion to Extend the Date to Respond to Defendant's Motion to Strike the Affidavit of Doris Mendes and to Preclude Plaintiffs' Experts From Testifying be allowed.

ANTHONY AND DORIS MENDES,

By their attorney,
LAW OFFICE OF CHRISTOPHER J. TROMBETTA

/s Christopher J. Trombetta
Christopher J. Trombetta (BBO #556923)
310 North Main Street, Suite 6
Mansfield, MA 02048
(508) 339-5900

ASSENTED TO:

DEFENDANT MORTGAGE
By its Attorney,

FOLEY & LARDNER LLP

/s Andrew K. Goldstein
Andrew K. Goldstein, Esq.
Foley & Lardner LLP
111 Huntington Avenue
Boston, MA 02199

December __, 2006